

Applicants: Heribert LORENZ et al.  
Application No. 10/642,917  
Amendment in Response to Office Action dated June 2, 2005

REMARKS

Applicants respectfully requests reconsideration and allowance of this application in view of the amendments above and the following comments.

Claim 1 is pending. An amendment has been made to claim 1 to overcome the Examiner's objection, wherein "1-methoxy-2-amino-4-( $\beta$ -hydroxyethyl amino) benzene" has been canceled in d). Another amendment has been made to claim 1 to correct a typographical error in the former term "2-hydroxymethyl-p-phenylenediamene". Changes that have been made to the claims and specification are presented above using strikethrough and underlining. It is believed that no new matter has been added.

Applicants believe the amendments have placed the above-identified application in condition for allowance, and therefore believe no stringent showing under 37 CFR §1.116 is required.

Claim Objections

The Examiner objected to claim 1 for twice reciting the compound "1-methoxy-2-amino-4-( $\beta$ -hydroxyethyl amino) benzene". Claim 1 has been amended to cancel reference to the "1-methoxy-2-amino-4-( $\beta$ -hydroxyethyl amino) benzene" in d).

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Obviousness-type double patenting rejection

Claim 1 stands rejected by the Examiner under obviousness-type double patenting in view of U.S. Application No. 10/465,278. In response, Applicants submit a terminal disclaimer in a separate paper to overcome the rejection.

In view of the foregoing, Applicants submits that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

Conclusion

Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

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CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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